

**ENTERED**

February 07, 2018

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

ROBERT JOHN ANTHONY MARTINEZ,  
Petitioner,

v.

LORIE DAVIS, Director, Texas Department  
of Criminal Justice, Correctional Institutions  
Division,  
Respondent.

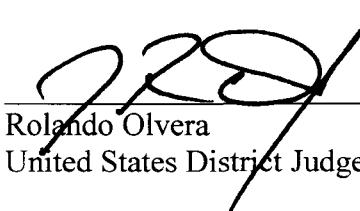
§ Civil Action No. 1:17-cv-00091  
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**ORDER ADOPTING MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION**

Before the Court is Robert John Anthony Martinez' (hereafter "Petitioner") "Petition for a Writ of Habeas Corpus by a Person in State Custody" (Docket No. 1); Lorie Davis' (hereafter "Respondent") "Davis's Motion for Summary Judgment with Brief in Support" (Docket No. 16); and "Magistrate Judge's Report and Recommendation" (hereafter "R&R") (Docket No. 22). The R&R recommends dismissing Petitioner's "Petition for a Writ of Habeas Corpus by a Person in State Custody" (Docket No. 1). No objections have been filed. After a *de novo* review of the file, the R&R is **ADOPTED**.

It is therefore **ORDERED, ADJUDGED, and DECREED** that Petitioner's "Petition for a Writ of Habeas Corpus by a Person in State Custody" (Docket No. 1) is dismissed with prejudice. A certificate of appealability shall not issue. The Clerk of the Court is **ORDERED** to close this case.

Signed on this 7<sup>th</sup> day of February, 2018.

  
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Rolando Olvera  
United States District Judge